

**LODI CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, DECEMBER 3, 2008**

A. Call to Order / Roll call

The Regular City Council meeting of December 3, 2008, was called to order by Mayor Mounce at 7:02 p.m.

Present: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, Mayor Mounce, and Council Member Katzakian

Absent: None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

B. Invocation - Rod Suess, Vinewood Community Church

C. Pledge of Allegiance

D. Presentations

D-1 Awards

a) Presentation of Mayor's Community Service Awards

Mayor Mounce presented the Mayor's Community Service Awards to the following recipients:

Bob Gross, conductor of the Lodi Community Band – for its outstanding performances throughout the year that continue to benefit and are greatly enjoyed by the community.

Virginia Snyder – for her continued dedication and efforts in working with the residents of this community on issues dealing with neighborhood enhancement and improvement and in working with the homeless.

D-2 Proclamations - None

D-3 Presentations - None

E. Consent Calendar (Reading; Comments by the Public; Council Action)

Council Member Johnson made a motion, second by Council Member Hitchcock, to approve the following items hereinafter set forth, **except those otherwise noted**, in accordance with the report and recommendation of the City Manager.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, Mayor Mounce, and Council Member Katzakian

Noes: None

Absent: None

E-1 Receive Register of Claims in the Amount of \$6,820,929.86 (FIN)

Claims were approved in the amount of \$6,820,929.86.

E-2 Approve Minutes (CLK)

The minutes of November 18, 2008 (Shirtsleeve Session), November 19, 2008 (Regular Meeting), and November 25, 2008 (Shirtsleeve Session) were approved as written.

E-3 Accept Park Bench and Plaque Donation from Susan Brennan in Honor of Bud Reller (PR)

Accepted the park bench and plaque donation from Susan Brennan in Honor of Bud Reller.

E-4 Adopt Resolution Awarding Transformer Testing Services at McLane Substation to Waukesha Electric Systems, Inc., of Waukesha, Wisconsin (\$25,670), and Authorizing the City Manager to Approve Change Orders for Any Needed Repairs (FUD)

Adopted Resolution No. 2008-233 awarding transformer testing services at McLane Substation to Waukesha Electric Systems, Inc., of Waukesha, Wisconsin, in the amount of \$25,670, and authorizing the City Manager to approve change orders for any needed repairs.

E-5 Adopt Resolution Ratifying Employment Agreement Entered into between City Manager Blair King and Deputy City Manager/Internal Services Director Jordan V. Ayers (CM)

This item was pulled for further discussion by Mayor Mounce.

Mayor Mounce stated she will not be voting in favor of the item due to her fundamental opposition to the severance pay clause in the employment agreement.

Council Member Johnson made a motion, second by Council Member Katzakian, to adopt Resolution No. 2008-234 ratifying the employment agreement entered into between City Manager Blair King and Deputy City Manager/Internal Services Director Jordan V. Ayers.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, and Council Member Katzakian

Noes: Mayor Mounce

Absent: None

F. Comments by the Public on Non-Agenda Items

THE TIME ALLOWED PER NON-AGENDA ITEM FOR COMMENTS MADE BY THE PUBLIC IS LIMITED TO FIVE MINUTES.

The City Council cannot deliberate or take any action on a non-agenda item unless there is factual evidence presented to the City Council indicating that the subject brought up by the public does fall into one of the exceptions under Government Code Section 54954.2 in that (a) there is an emergency situation, or (b) the need to take action on the item arose subsequent to the agenda's being posted. Unless the City Council is presented with this factual evidence, the City Council will refer the matter for review and placement on a future City Council agenda.

John Talbot spoke in opposition to Measure W slated to be on the ballot for a Special Municipal Election on March 3, 2009, based on his concerns regarding indebtedness with a redevelopment agency and the ability to put the matter to a vote of the people.

G. Comments by the City Council Members on Non-Agenda Items

Council Member Johnson spoke in favor of Measure W based on possible financial benefits to the community and urged the citizens to review the information on their own.

Council Member Hitchcock spoke in favor of Measure W based on possible financial benefits to the community and urged citizens to research the data on their own.

Mayor Pro Tempore Hansen reported on his attendance at the meeting for San Joaquin Council of Governments and Northern California Power Agency. He specifically discussed proposed cuts in light of decreased revenue projections, review of 2008 accomplishments, and impacts of AB 32.

Mayor Mounce encouraged the citizens to review the information regarding Measure W and also stated the State may be looking at a way to take local agency redevelopment funds in light of the State budget woes.

H. Comments by the City Manager on Non-Agenda Items

City Manager King stated the issuance of bonds is not required for a redevelopment agency. Mr. King also introduced Jordan Ayers, the new Deputy City Manager/Internal Services Director. Mr. King also reviewed the accomplishments of 2008.

I. Public Hearings - None

J. Communications

J-1 Claims Filed Against the City of Lodi - None

J-2 Appointments

a) Appointment to the Lodi Arts Commission: Kathi Medford (CLK)

Council Member Hitchcock made a motion, second by Council Member Johnson, to make the appointment of Kathi Medford to the Lodi Arts Commission, term to expire July 1, 2011.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, Mayor Mounce, and Council Member Katzakian

Noes: None

Absent: None

b) Post for One Vacancy on the Lodi Improvement Committee (CLK)

Council Member Hitchcock made a motion, second by Council Member Johnson, to direct the City Clerk to post for the vacancy on the Lodi Improvement Committee, as a result of the resignation of Virginia Snyder whose term is due to expire March 1, 2011.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, Mayor Mounce, and Council Member Katzakian

Noes: None

Absent: None

J-3 Miscellaneous - None

K. Regular Calendar - None

L. Ordinances - None

M. Reorganization of the City Council

M-1 Resolution Certifying the Election Results of the November 4, 2008, General Municipal Election

Council Member Hitchcock made a motion, second by Council Member Johnson, to adopt Resolution No. 2008-235 certifying the election results of the November 4, 2008, General Municipal Election.

VOTE:

The above motion carried by the following vote:

Ayes: Mayor Pro Tempore Hansen, Council Member Hitchcock, Council Member Johnson, Mayor Mounce, and Council Member Katzakian

Noes: None

Absent: None

M-2 Presentation to Outgoing Mayor

City Manager King presented Mayor Mounce with a plaque for her dedicated service to the City of Lodi and its residents.

Mayor Mounce thanked her mother, other family members, and friends for their ongoing support. She also thanked staff for their assistance during her term as Mayor.

M-3 City Clerk to Administer the Oath of Office to Lodi City Council Members Elect and Present Certificates of Election

M-4 Reorganization of the Lodi City Council

NOMINATION(S) FOR MAYOR:

Council Member Johnson made a motion, second by Council Member Mounce, to nominate Council Member Larry Hansen to the office of Mayor. There being no further nominations for the office of Mayor, the nominations were closed.

VOTE:

In regard to the nomination of Larry Hansen to the office of Mayor, the motion carried by the following vote, thereby adopting Resolution No. 2008-236.

Ayes: Council Member Hansen, Council Member Hitchcock, Council Member Johnson, Council Member Katzakian, and Council Member Mounce

Noes: None

Absent: None

NOMINATION(S) FOR MAYOR PRO TEMPORE:

Council Member Mounce made a motion, second by Council Member Johnson, to nominate Council Member Phil Katzakian to the office of Mayor Pro Tempore. There being no further nominations for the office of Mayor Pro Tempore, the nominations were closed.

VOTE:

In regard to the nomination of Phil Katzakian to the office of Mayor Pro Tempore, the motion carried by the following vote, thereby adopting Resolution No. 2008-237.

Ayes: Council Member Hitchcock, Council Member Johnson, Council Member Katzakian, Council Member Mounce, and Mayor Hansen

Noes: None

Absent:None

N. Adjournment

There being no further business to come before the City Council, the meeting was adjourned at 8:16 p.m.

ATTEST:

Randi Johl
City Clerk